

Remarks

Favorable reconsideration is respectfully requested in light of the above amendments and the following discussion.

Claim 1 has been amended to further clarify the claimed invention. Support for the amendment can be found, for example, at page 5 lines 22-24 of the specification, the drawing Figures 3 and 4, and original claim 9.

Claims 1-10 and 13 remain pending for reconsideration.

In the Office Action, the indicated allowability of claim 2 and previous claim 11 was withdrawn, but it was noted that claims 9, 10 and 13 contain allowable subject matter.

Claims 1, 3 and 5-8 were rejected under 35 U.S.C. 102(b) as being anticipated by Cornils et al. JP 09123213 (hereinafter "Cornils").

With regard to claim 1, the Examiner indicated that Cornils teaches a process for molding an appendage on a glazing. Referring to Figure 5 of Cornils, it was noted that a mold is advanced into a sealing contact with a glazing on peripheral portion of a glass pane (17). Cornils is further said to teach injecting a molding material through an opening (23) into a cavity of the mold to form an appendage (12) on a lip (10) of the glazing (4), wherein the glass pane remains outside the mold cavity being in contact with the lip (referring to numbered paragraphs 0001, 0007- 0009, 0013-0014, and Fig 5). The Examiner took the position that the upper mold (20) of Cornils was reasonably understood to meet the claimed mold limitation and further noted that mold (20) does not make

contact with the pane of glass. As such, it was concluded that Cornils still met the scope of claim 1 as previously amended.

In addition, claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over Cornils as applied to claims 1, 3 and 5-8. In this regard, it was asserted that Cornils teaches that the pane of glass remains outside of the mold cavity even when it is closed (referring to Figures 4 and 5). It was acknowledged in the Office Action that Cornils closes the mold prior to introducing the polymer. However, the examiner submitted that the sequence of performing the process steps was prima facie obvious absent a showing of new or unexpected results. Therefore, the examiner concluded that it would have been prima facie obvious to one having ordinary skill in the art at the time of the claimed invention to have changed the sequence of the process steps set forth by Cornils and to have introduced the polymer prior to closing the mold since the sequence of performing process steps is prima facie obvious absent a showing of new or unexpected results (citing MPEP 2144.04(IV)(C)).

Referring to the previously presented claim 1, the examiner's rejection was founded on the interpretation of the word "mold" as including an individual mold half by itself. On this interpretation, the upper mold halves (20 in Fig. 4 and 25 in Fig 5 of Cornils) constitute "molds," and it is true that the upper mold half of Cornils does not make contact with the pane of glass.

This, however, is neither the interpretation of "mold" that applicants intended, nor the one used in the specification. Accordingly, claim 1 has been amended to clarify the claimed invention with regard to the mold. In amended

claim 1, as in original claim 9, the process is now explicitly defined "wherein the mold comprises a first mold half and a second mold half." Furthermore, the mold defined in amended claim 1, comprised of the first mold half and the second mold half, does not make contact with the pane of glass.

The process taught in Cornils also utilizes a mold having first and second mold halves, an upper mold half (20 in Fig. 4 and 25 in Fig. 5) and a lower mold half (16 in Figs. 4 and 5). However, in stark contrast to the process of claim 1, the lower mold 16 of Cornils (and thus "the mold" as defined in claim 1) does make contact with the pane of glass. Cornils lacks any suggestion whatsoever of a process in which the mold, comprised of a first mold half and a second mold half, does not make contact with the glass pane. The invention defined by claim 1 is therefore not anticipated nor rendered obvious by the process taught in Cornils.

Applicants therefore respectfully submit that the rejection of claim 1 must be withdrawn. Moreover, claims 2, 3, 5-10, 13 all depend from claim 1. Thus, each is patentable at least because of its dependency from a patentable base claim. Furthermore, as claim 4, the Species II claim, depends from allowable claim 1, this claim should no longer be withdrawn (See, for example, MPEP §821.04(a)).

In addition, applicants note that claim 2 further defines the process of claim 1, "wherein the mold is open when the polymer material is introduced into it, the mold being closed after the introduction of the polymer material..." In the Office Action, the examiner conceded that Cornils taught a process where the mold was closed *prior to introducing the polymer*. It was asserted, however, that it would have been prima facie obvious to one having ordinary skill in the art at

the time of the claimed invention to have changed the sequence of the process steps set forth by Cornils and to have introduced the polymer prior to closing the mold since the sequence of performing process steps is prima facie obvious absent a showing of new or unexpected results, referring to MPEP 2144.04(IV)(C).

Applicants respectfully submit that the differences between the process defined by claim 2 and that taught by Cornils amount to much more than a simple reversal of the order of two process steps, such as found in the cases cited in MPEP 2144.04(IV)(C). The process defined by claim 2 includes introducing a polymer material into an open mold, a fundamentally different process to one in which a closed mold is filled with a polymer material. The first is essentially a pouring operation at atmospheric pressure, whereas the second requires injection at an elevated pressure. This in turn requires a greater clamping pressure, with adverse implications for glass breakage, a result the process of the present invention seeks to avoid.

Cornils is devoid of any suggestion for introducing a polymer material when the mold is open. Thus, this step defined by claim 2 is **completely lacking** in the process taught by Cornils; it is **not** the case that Cornils teaches this step, but in a different order than that claimed. As a result, even if the process steps of Cornils were reversed, the resulting process would not be as defined in claim 2. For this additional reason, claim 2 is patentable over the art of record.

In view of the foregoing remarks, favorable reconsideration of the present application and the passing of this case to issue with all claims allowed are respectfully requested. Should the Examiner wish to discuss any aspect of this application, the

applicant's attorney suggests a telephone interview in order to expedite the prosecution of the application.

Respectfully submitted,

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